

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Civil Action No.: 04-10482 MEL

GREGORY C. MILTON, PRO SE,  
Plaintiff

v.

CITY OF BOSTON, HARRY F.  
SCALES; OFFICER SERGEANT  
GARCIA; WENDELL JONES,  
Defendants

**MOTION OF THE DEFENDANTS, CITY OF BOSTON, HARRY F. SCALES,  
SERGEANT GARCIA, WENDALL JONES' MOTION TO DISMISS**

NOW COMES the Defendant, John Ford, and moves pursuant to Fed. R. Civ. P. 12(b)(6) that this Honorable Court dismiss the Plaintiff's Complaint. As grounds therefore, Defendants state that the claims against them are barred by the applicable statutes of limitations.

In support of his Motion, Defendants submit the attached Memorandum of Law.

**WHEREFORE**, the Defendants, City of Boston, Harry F. Scales, Sergeant Garcia, and Wendall Jones respectfully request that their motion to dismiss be allowed and that the Plaintiff's Complaint be dismissed with prejudice.

Respectfully submitted,

DEFENDANTS, CITY OF BOSTON, HARRY  
SCALES, "OFFICER SERGEANT GARCIA"  
& WENDELL JONES

Merita A. Hopkins  
Corporation Counsel

By their attorney:

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a true  
Copy of the above document was served  
Upon the attorney of record for each  
Party by mail at 170 Morton Street,  
Jamaica Plain, MA 02130.

10/5/04            /s/ Margaret H. Sanel  
Date                Margaret H. Sanel

/s/Margaret H. Sanel  
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